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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,071	09/17/2003	Sami Poykko	59643.00174	3237

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SQUIRE, SANDERS & DEMPSEY L.L.P.
14TH FLOOR
8000 TOWERS CRESCENT
TYSONS CORNER, VA 22182

EXAMINER

VU, MICHAEL T

ART UNIT PAPER NUMBER

2617

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/664,071	Applicant(s) POYKKO ET AL.	
	Examiner Michael Vu	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2617

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dupray (US 6,249,252) in view of Dvorak (US 6,300,904), and in further view of Kalliojarvi (US 6,438,723).

Regarding **claims 1, 3 and 5**, Dupray teaches a method of providing information regarding a location of a mobile user of a communication system (Abstract, C8, L7-67 to C9, L1-67), the method comprising: performing measurements for provision of input data for a location calculation function (C48, L26-67 to C49, L1-5); deciding selected

measurements for use by the location calculation a location estimate for a mobile user based on the selected measurements (C48, L26-67 to C49, L1-5).

But Dupary **is silent on** analyzing an effect of ignoring a measurement.

However, Dvorak teaches the multiple spaced apart receivers such that average time difference of arrivals of the signals are used to calculate a positions of the item to be located with desired accuracy and different measurement values are taken at different frequencies and perform various forms of statistical analysis, such as ignoring the different values (Figs. 1-6, C2-23-55, C3, L39-67 to C4, L1-67, C5 to C6, L1-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dupary, such that analyzing an effect of ignoring a measurement, to optimize the location accuracy, reliability, and efficiency, e.g. minimizing the inconsistencies or latency over the path.

Dupray/Dvorak **are silent on** to identify suspicious measurements.

However, Kakkiojarvi teaches method and arrangement for the reliable transmission of packet data that corresponding to the error detection method use of other than the measurements and calculation of reliable metrics to identify the suspicious packets or data (C13, L22-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dupary in view of Dvorak, to identify suspicious measurements, to enhance the reliability of the network transmission, e.g. minimizing the inconsistencies or latency over the path.

Regarding **claims 2, 4 and 6**, Dupray/Dvorak/Kalliojarvi teach in claim 1, wherein the step of analyzing further comprises analyzing a discrepancy (inconsistence or different) between the selected measurements and the location estimate (C48, L26-67 to C49, L1-5) of Dupray.

5. Claims 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dupray in view of Kalliojarvi. [Hereafter Dupray and Kalliojarvi]

Regarding **claims 7, 12, and 17**, Dupray teaches a location system (C3, L34-52) comprising: a controller configured to control at least one base stations (C10, L12-45); a location service node configured to provide a client application with a measurement regarding geographic location information of at least one mobile station (C8, L7-67); an interface configured to receive the measurement regarding the geographic location information of the at least one mobile station and to transmit the measurement regarding the geographic location information to a location device; the location device configured to determine a location estimate based upon the measurement regarding the geographic location (C3, L34 to C22, L3); by analyzing a discrepancy between the measurement and the location estimate (C48, L26-67 to C49, L1-5),

but is silent on a suspicious measurement identifier configured to identify suspicious measurements

However, Kakkiojarvi teaches method and arrangement for the reliable transmission of packet data that corresponding to the error detection method use of

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other than the measurements and calculation of reliable metrics to identify the suspicious packets or data (C13, L22-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dupray, such that a suspicious measurement identifier configured to identify suspicious measurements by analyzing a discrepancy between the measurement and the location estimate, to provide the location accuracy, reliability, and efficiency, and minimizing the inconsistencies or latency over the path.

Regarding **claims 8, 13 and 18**, Dupray/Kakkiojarvi teach in claim 7, wherein the location service node provides location services for a plurality of client applications (Figs. #4-7, C17 to C21) of Dupray.

Regarding **claims 9, 14, and 19**, Dupray/Kakkiojarvi teach in claim 7, wherein the interface comprises a gateway mobile location center (C46, L20-67 to C47, L1-37) of Dupray.

Regarding **claims 10, 15, and 20**, Dupray/Kakkiojarvi teach in claim 7, wherein the location estimate is based upon a measurement regarding a position of the at least one mobile station relative to the at least one base station (C17 to C22) of Dupray.

Regarding **claims 11 and 16**, Dupray/Kakkiojarvi teach in claim 7, wherein the location device comprises the suspicious measurement identifier (C13, L22-40) of Kakkiojarvi.

Conclusion

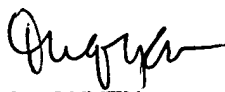
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael Vu



DUC NGUYEN
PRIMARY EXAMINER